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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Dennis Andrew Ball,

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No. CV 09-84-PHX-JAT

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Plaintiff,

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ORDER

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vs.

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City of Peoria; Peoria Police Department,

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Defendants.

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IT IS ORDERED that Plaintiff’s motion to proceed in forma pauperis (Doc. #3) is denied without prejudice because it is incomplete. Specifically, in response to question 3, Plaintiff answered “yes” but failed to state the amount received from each source of income within the last twelve months as is required by Local Rule Civil 3.3(a)(3)(B) and (E). Within 10 days of the date of this Order, Plaintiff shall either re-file his application to proceed in forma pauperis or pay the filing fee. If Plaintiff fails to do either of these things within 10 days, the Clerk of the Court shall, without further Order from this Court, dismiss this case, without prejudice, due to Plaintiff’s failure to pay the filing fee.

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IT IS FURTHER ORDERED that Plaintiff’s motion to assign this case to Magistrate Judge Duncan (Doc. #4) is denied because it was filing in the wrong case (*see* Local Rule Civil 42.1).

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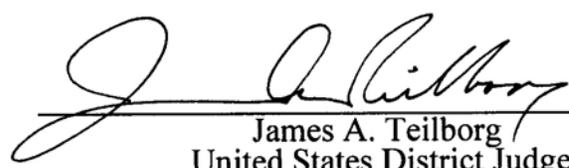
IT IS FURTHER ORDERED that Plaintiff’s motion for mediation (Doc. #5) is denied.

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IT IS FURTHER ORDERED that Plaintiff's motion for service by the U.S. Marshals (Doc. #6) is denied as premature because Plaintiff has yet to be conferred in forma pauperis status.

DATED this 6th day of February, 2009.


James A. Teilborg
United States District Judge